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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA—SAN FRANCISCO DIVISION**

HAPPY VALLEY ROAD LLC,  
Plaintiff,  
v.  
AMGUARD INSURANCE COMPANY,  
Defendant

Case No.: 3:22-cv-06115-LB

**DECLARATION OF FREDERICK  
GRESCHNER IN SUPPORT OF  
PLAINTIFF'S OPPOSITION TO  
DEFENDANT AMGUARD INSURANCE  
COMPANY'S MOTION TO DISMISS  
PLAINTIFF'S *AMENDED* COMPLAINT**

Date: August 24, 2023  
Time: 9:30 a.m.  
Courtroom: Courtroom B

1                   **DECLARATION OF FREDERICK GRESCHNER**

2 I, Frederick Greschner, declare as follows:

3         1. I am an attorney duly licensed to practice law in the State of Louisiana and admitted  
4 before this Court *pro hac vice*. I am a lawyer at Gauthier Murphy & Houghtaling LLC, counsel of  
5 record for Plaintiff Happy Valley Road, LLC’s (“Plaintiff” or “Happy Valley”) in this case. I make  
6 this Declaration in support of Plaintiff’s Opposition to Defendant AmGUARD Insurance  
7 Company’s (“Defendant” or “AmGUARD”) Motion to Dismiss. I have personal knowledge of the  
8 matters set forth in this Declaration and, if called as a witness, could and would competently testify  
9 thereto.

10       2. After Defendant filed its Motion to Dismiss on July 13, 2023, I spoke to Rajiv  
11 Gosain, the owner of the property located at 4134 Happy Valley Road, Orinda, California.

12       3. On October 15, 2018, Mr. Gosain assigned his contract with Rented.com to Happy  
13 Valley Road, LLC. A true and correct copy of this assignment is attached hereto as **Exhibit 1**.

14       4. In its Amended Complaint, Plaintiff alleged that the date Rented.com cancelled the  
15 contract was November 12, 2019. (FAC ¶ 120). This date was provided by the sole principal of  
16 Happy Valley, Rajiv Gosain.

17       5. At the time, Mr. Gosain was attempting to locate the cancellation documents  
18 provided by Rented.com, while also dealing with the illness, death, and burial of his father in India.

19       6. In speaking with Mr. Gosain since, he stated that he provided this date from  
20 memory, that it was obviously an error, and that the cancellation was sometime in late 2019 or  
21 early 2020.

22       7. Mr. Gosain remains in India and will not be returning to the United States until late  
23 August or early September 2023.

24       8. Upon his return he will investigate further to find the cancellation documents and  
25 the Amended Complaint will be corrected to reflect the accurate date that Rented.com cancelled the  
26 contract in question.

9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on July 27, 2023, in METairie, Louisiana.

Frederick Greschner